

ENROLLED RESOLUTION 159-8

AMEND THE REGIONAL WATER QUALITY MANAGEMENT PLAN FOR THE
VILLAGE OF MENOMONEE FALLS, WAUKESHA COUNTY, WISCONSIN

WHEREAS the Southeastern Wisconsin Regional Planning Commission, duly created by the Governor of the State of Wisconsin in accordance with Section 66.945(2) of the Wisconsin Statutes on August 8, 1960, upon the petition of the Counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha, has the function and duty of making and adopting a Master Plan for the physical development of the region, and

WHEREAS the Southeastern Wisconsin Regional Planning Commission prepared and adopted on July 12, 1979, a report entitled "Regional Water Quality Management Plan for Southeastern Wisconsin- Year 2000", (Southeastern Wisconsin Regional Planning Commission Report No. 30), and

WHEREAS the Waukesha County Board of Supervisors has supported, participated in the financing of, and generally concurred in the Regional Planning Programs undertaken by the Southeastern Wisconsin Regional Planning Commission and believes that the Regional Water Quality Management Plan for the Southeastern Wisconsin Region is a sound and valuable guide providing technical data and support to the concept of further refinement of the adopted Regional Land Use Plan, and

WHEREAS the County Board of Supervisors has adopted the "Regional Water Quality Management Plan for Southeastern Wisconsin – Year 2000", Planning Report No. 30 on October 23, 1979 in Resolution No. 140, and

WHEREAS the Village of Menomonee Falls requested on February 5, 2004, an amendment to the Adopted Regional Water Quality Management Plan (Menomonee Falls-South Sanitary Sewer Service Area), to add certain land to the Village of Menomonee Falls-South Sanitary Sewer Service area, and after due notice of a public hearing held on May 17, 2004, and preparation of a report entitled, "Amendment to the Regional Water Quality Management Plan for the Village of Menomonee Falls, Waukesha County, Wisconsin", dated June 2004, said Plan amendment was adopted by the Southeastern Wisconsin Regional Planning Commission on June 16, 2004, and by the Menomonee Falls Village Board on May 17, 2004, and

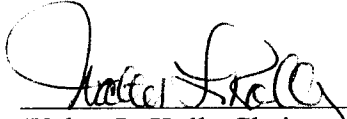
WHEREAS the subject matter of this Resolution has been duly considered by the Waukesha County Park and Planning Commission and the Waukesha County Land Use, Parks and Environment Committee, which recommends its adoption.

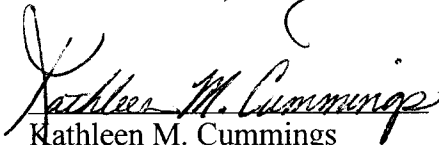
NOW THEREFORE BE IT RESOLVED BY THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA that the report entitled "Amendme nt to the Regional Water Quality Management Plan for the Village of Menomonee Falls, Waukesha County, Wisconsin" dated June 2004, is hereby approved signifying the County's agreement with the change to the "Regional Water Quality Management Plan" identified in the amendment document.

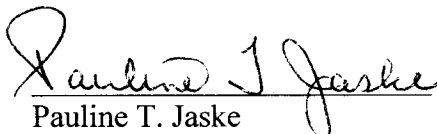
BE IT FURTHER RESOLVED that the Waukesha County Clerk shall transmit a certified copy of this Resolution to the Southeastern Wisconsin Regional Planning Commission and the Village of Menomonee Falls Clerk upon its adoption.

AMEND THE REGIONAL WATER QUALITY MANAGEMENT PLAN FOR THE
VILLAGE OF MENOMONEE FALLS, WAUKESHA COUNTY, WISCONSIN

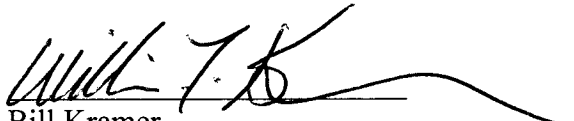
Presented by:
Land Use, Parks, and Environment Committee


Walter L. Kolb, Chair

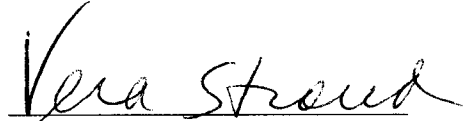

Kathleen M. Cummings


Pauline T. Jaske


Scott J. Klein


Bill Kramer


Daniel Pavelko


Vera Stroud

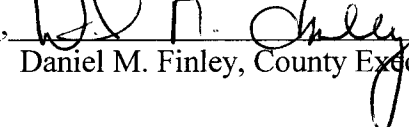
The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 9-24-04, 
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: ☒

Vetoed: ☐

Date: 9-24-04, 
Daniel M. Finley, County Executive

**AMENDMENT TO THE
REGIONAL WATER QUALITY
MANAGEMENT PLAN**

VILLAGE OF MENOMONEE FALLS

AS ADOPTED BY THE

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

JUNE 2004

159-R-008

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607 •

TELEPHONE (262) 547-6721
FAX (262) 547-1103

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SUBJECT: Certification of Amendment to the Adopted Regional Water Quality Management Plan (Menomonee Falls-South Sewer Service Area)

TO: The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Waukesha, the Cities of Brookfield and Pewaukee, the Villages of Lannon, Menomonee Falls, and Sussex, and the Town of Lisbon.

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at the Washington County Courthouse, West Bend, Wisconsin, on the 16th day of June 2004, the Commission did by unanimous vote of all Commissioners present, being 17 ayes and 0 nays, and by appropriate Resolution, a copy of which is made a part hereof and incorporated by reference to the same force and effect as if it had been specifically set forth herein in detail, adopt an amendment to the regional water quality management plan, which plan was originally adopted by the Commission on the 12th day of July 1979, as part of the master plan for the physical development of the Region. Said amendment to the regional water quality management plan pertains to the revised Menomonee Falls-South sanitary sewer service area and consists of the documents attached hereto and made a part hereof. Such action taken by the Commission is recorded on, and is a part of, said plan, and the plan as amended is hereby transmitted to the constituent local units of government for consideration, adoption, and implementation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and cause the Seal of the Southeastern Wisconsin Regional Planning Commission to be hereto affixed. Dated at the City of Pewaukee, Wisconsin, this 17th day of June 2004.

Thomas H. Buestrin, Chairman
Southeastern Wisconsin
Regional Planning Commission

ATTEST:

Philip C. Evenson

Philip C. Evenson, Deputy Secretary

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4.

RESOLUTION NO. 2004-08

RESOLUTION OF THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION AMENDING THE ADOPTED REGIONAL WATER QUALITY MANAGEMENT PLAN, THAT PLAN BEING A PART OF THE MASTER PLAN FOR THE PHYSICAL DEVELOPMENT OF THE REGION CONSISTING OF THE COUNTIES OF KENOSHA, MILWAUKEE, OZAUKEE, RACINE, WALWORTH, WASHINGTON, AND WAUKESHA IN THE STATE OF WISCONSIN (MENOMONEE FALLS-SOUTH SANITARY SEWER SERVICE AREA)

WHEREAS, pursuant to Section 66.0309(10) of the *Wisconsin Statutes*, the Southeastern Wisconsin Regional Planning Commission, at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, *A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000*; and

WHEREAS, at a meeting held on the 16th day of June 1993, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Menomonee Falls sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 208, *Sanitary Sewer Service Area for the Villages of Lannon and Menomonee Falls, Waukesha County, Wisconsin*, dated June 1993 as amended; and

WHEREAS, by letter dated February 5, 2004, the Village of Menomonee Falls requested that the Commission amend the Menomonee Falls-South sanitary sewer service area to include certain lands located outside of the currently adopted sewer service area; and

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a Commission staff memorandum entitled, "Response to Request by the Village of Menomonee Falls to Amend the Menomonee Falls-South Sanitary Sewer Service Area," attached hereto and made a part hereof; and

WHEREAS, the requested change to the regional water quality management plan, as documented in the aforementioned staff memorandum, was the subject of a public hearing held jointly by the Village of Menomonee Falls and the Regional Planning Commission on May 17, 2004; and

WHEREAS, Section 66.0309(9) of the *Wisconsin Statutes* authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail;

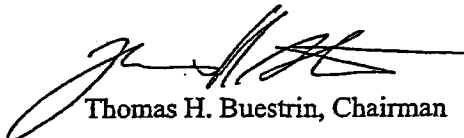
NOW, THEREFORE, BE IT HEREBY RESOLVED:

FIRST: That the regional water quality management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 30, Volumes One, Two, and Three, which was adopted by the Commission as a part of the master plan on the 12th day of July 1979, and which was amended on the 16th day of June 1993 to include the refined Menomonee Falls sewer service area, as set forth in SEWRPC Community Assistance Planning Report No. 208, be and the same hereby is amended in the manner identified on Map 1 of the aforementioned SEWRPC staff memorandum.

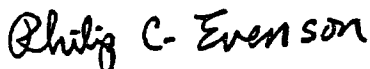
SECOND: That the Executive Director is authorized to submit findings to the Wisconsin Department of Natural Resources and the Wisconsin Department of Commerce that public and private sanitary sewer extensions necessary to serve the anticipated development on the lands concerned are in conformance with, and would serve to implement, the adopted regional water quality management plan as herein amended.

THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals as the law may require or as the Commission, its Executive Committee, or its Executive Director, at their discretion, shall determine and direct.

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 16th day of June 2004, the vote being: Ayes 17; Nays 0.


Thomas H. Buestrin, Chairman

ATTEST:



Philip C. Evenson, Deputy Secretary

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SEWRPC STAFF MEMORANDUM

RESPONSE TO REQUEST BY THE VILLAGE OF MENOMONEE FALLS TO AMEND THE MENOMONEE FALLS-SOUTH SANITARY SEWER SERVICE AREA

INTRODUCTION AND BACKGROUND

By letter dated February 5, 2004, the Village of Menomonee Falls requested that the Southeastern Wisconsin Regional Planning Commission amend the Menomonee Falls-South sanitary sewer service area tributary to the Village of Sussex sewage treatment facility. That area is currently documented in SEWRPC Community Assistance Planning Report No. 208, *Sanitary Sewer Service Area for the Villages of Lannon and Menomonee Falls, Waukesha County, Wisconsin*, dated June 1993, as amended. The basic purpose of this amendment would be to include within the planned Menomonee Falls-South sanitary sewer service area certain lands located immediately adjacent to, but outside, the currently adopted sewer service area.

During the course of the processing of this amendment, the Village of Menomonee Falls also requested that a minor change be made to the common boundary between the Menomonee Falls-South sewer service area tributary to the Village of Sussex sewage treatment facility and the Menomonee Falls sewer service area tributary to the Fox River Water Pollution Control Center. The City of Brookfield has indicated its support for this amendment, which is based upon a detailed platting layout for the area concerned.

DESCRIPTION OF THE PROPOSED AMENDMENTS

Proposed Addition of Lands in U.S. Public Land Survey Sections 31 and 32, Township 8 North, Range 20 East

The area proposed to be added to the Menomonee Falls-South sanitary sewer service area is identified by the blue hatch on Map 1. This area encompasses a total of 420 acres located in U.S. Public Land Survey Sections 31 and 32, Township 8 North, Range 20 East, in the Village of Menomonee Falls. The subject area includes 50 acres of existing environmentally significant lands—including 24 acres of primary environmental corridor, 23 acres of isolated natural resource area, and 3 acres of small wetlands; 100 additional acres of floodplains; 50 acres of existing urban land including street rights-of-way; and 220 acres of agricultural and other open land. The subject area currently has a population of about 100 persons. The environmental corridors shown on Map 1 have been updated to reflect existing (2000) conditions.

The 220 acres of undeveloped land located outside the environmentally significant areas and floodplain areas would accommodate about 525 persons if developed for residential use in accordance with the Village land use plan.

Shaded in blue on Map 1 are existing 100-year floodplain areas—including areas located within and outside the subject area—which presently do not have the natural features warranting designation as an environmental corridor or isolated natural resource area. The boundaries of these floodplain areas may be modified based upon future engineering studies and detailed site planning in accordance with existing floodplain regulations. Such modification of the floodplain is considered to be consistent with this sewer service area plan, provided there is no net loss of floodwater storage volume in the floodplain area. Under this sewer service area plan, it is envisioned that those floodplain areas which are determined on the basis of future engineering studies to be retained as open space would eventually revert to more natural conditions and become part of the environmental corridor system.¹ The floodlands west of Lannon Road are potential additions to the primary environmental corridor. The floodlands east of Lannon Road are potential primary or secondary environmental corridor lands; the classifications will depend upon the planned configuration of the floodlands as determined in future engineering studies.

¹ This would not preclude the use of such land for compatible outdoor recreation uses.







Map 1





ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE VILLAGE OF MENOMONEE FALLS

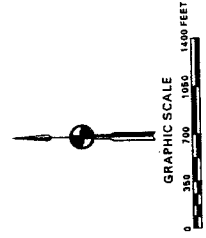
U.S. Public Land Survey Sections 31 and 32, and West Half of Section 33, Township 8 North, Range 20 East



Photography Date: March 2000

-  EXISTING PRIMARY ENVIRONMENTAL CORRIDOR
-  EXISTING ISOLATED NATURAL RESOURCE AREA
-  EXISTING WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
-  CURRENTLY ADOPTED GROSS SANITARY SEWER SERVICE AREA BOUNDARIES
-  PLANNED SANITARY SEWER SERVICE AREA
-  AREA PROPOSED TO BE ADDED TO THE MENOMONEE FALLS SOUTH SEWER SERVICE AREA

-  AREA PROPOSED TO BE TRANSFERRED FROM THE MENOMONEE FALLS SOUTH SEWER SERVICE AREA TO THE SEWER SERVICE AREA TRIBUTARY TO THE FOX RIVER WATER POLLUTION CONTROL CENTER
-  AREA PROPOSED TO BE TRANSFERRED FROM THE SEWER SERVICE AREA TRIBUTARY TO THE FOX RIVER WATER POLLUTION CONTROL CENTER TO THE MENOMONEE FALLS SOUTH SEWER SERVICE AREA
-  100-YEAR FLOODPLAIN AREAS THAT ARE POTENTIAL ENVIRONMENTAL CORRIDOR LANDS; THE BOUNDARIES OF SUCH AREAS MAY BE MODIFIED BASED UPON FUTURE ENGINEERING STUDIES AND DETAILED SITE PLANNING IN ACCORDANCE WITH EXISTING FLOODPLAIN REGULATIONS AND A FINDING OF NO NET LOSS IN FLOODPLAIN STORAGE VOLUME.
-  EXISTING ISOLATED NATURAL RESOURCE AREA WITH THE POTENTIAL TO BECOME PART OF A PRIMARY OR SECONDARY ENVIRONMENTAL CORRIDOR. IT IS ENVISIONED THAT FUTURE ENGINEERING STUDIES WOULD PROVIDE FOR A NATURAL CORRIDOR THROUGH THE EXISTING FLOODPLAIN IN THE SOUTHWEST QUARTER OF SECTION 32 PHYSICALLY CONNECTING THE EXISTING ISOLATED NATURAL RESOURCE AREA LOCATED ON EITHER SIDE OF ONE MILE ROAD WITH THE FOX RIVER PRIMARY ENVIRONMENTAL CORRIDOR. WITH THE ESTABLISHMENT OF THIS LINKAGE, THE EXISTING ISOLATED NATURAL RESOURCE AREA WOULD BE RECLASSIFIED AS PRIMARY OR SECONDARY ENVIRONMENTAL CORRIDOR



Source: SEWRPC.

159-R-008

In this respect, it is envisioned that future engineering studies would provide for a natural corridor (a primary or secondary environmental corridor) through the existing floodplain in the southwest quarter of Section 32—physically connecting the existing isolated natural resource area located on either side of One Mile Road with the Fox River environmental corridor. With the establishment of this linkage, the existing isolated natural resource area would be reclassified as a primary or secondary environmental corridor.

Proposed Changes to Common Boundary Between the Areas Tributary to the Sussex Sewage Treatment Plant and the Fox River Water Pollution Control Center

Also shown on Map 1 are certain proposed changes to the common boundary between the sewer service areas tributary to the Sussex sewage treatment plant and the Fox River Water Pollution Control Center. These changes constitute a refinement of the currently adopted sewer service area boundary; they are an outgrowth of detailed subdivision design planning for the area. The proposed changes involve the transfer of two proposed residential lots from the sewer service area tributary to the Sussex sewage treatment plant to the sewer service area tributary to the Fox River Water Pollution Control Center, and the transfer of two proposed lots in the opposite direction.

RELATIONSHIP OF THE PROPOSED CHANGES TO THE EXISTING SANITARY SEWER SERVICE AREA

The first amendment described above would increase the overall size of the Menomonee Falls-South sewer service area by 420 acres, or about 17 percent. The subject area has an existing population of about 100 persons, and it is estimated that the areas proposed for future residential development would accommodate a population of about 525 persons. Thus, the planned population of the sewer service area would increase by about 625 persons. Including the proposed addition, the buildout population of the Menomonee Falls-South sewer service area would approximate 4,850 persons, just over the high-growth population projection of 4,550 persons for this area embodied in the Commission's year 2020 regional land use plan. This does not reflect population growth attendant to any future residential development within the existing flood plain area.

The second amendment is essentially a refinement and detailing of the currently adopted sewer service area boundary. The changes envisioned under the second amendment are offsetting; there would be no changes to the overall size or population levels of the respective sewer service areas.

WATER QUALITY IMPACTS

Under the adopted regional water quality management plan and the amended Menomonee Falls-South sanitary sewer service area plan presented herein, it is envisioned that all new urban development within the planned urban service area would receive sanitary sewer service. Assuming that any applicable Federal, State, and local permits are obtained and that proper site development and construction practices are employed, there should be no significant adverse water quality impacts attributable to the development of the planned sanitary sewer service area.

COST-EFFECTIVENESS ANALYSIS

The addition to the Menomonee Falls-South sanitary sewer service area proposed under the first amendment is situated immediately adjacent to the currently approved sewer service area tributary to the Village of Sussex sewage treatment plant. In addition, major conveyance facilities are already in place to carry wastewater from the area to the Village of Sussex sewage treatment facility. The nearest other public sanitary sewer systems, those tributary to the Fox River Water Pollution Control Center and the Milwaukee Metropolitan Sewerage District, are also located adjacent to the subject area. In this regard, a common sewer service area boundary has been agreed upon between the communities of Brookfield, Menomonee Falls, Pewaukee, and Sussex as set forth in SEWRPC Community Assistance Planning Report Nos. 109 and 208. That agreement was based upon cost effectiveness analyses set forth in a report entitled *Amendment to the Regional Water Quality Management Plan, Upper Fox River Watershed, Brookfield and Sussex Sewage Treatment Plants*, May 1989. That report concluded that the

most cost-effective means of providing public sewer service to the subject area is through the Village of Sussex sewerage system.

The changes proposed under the second amendment are specifically intended to enable the cost-effective provision of sewer service to the residential lots concerned.

SEWAGE TREATMENT PLANT CAPACITY ANALYSIS

The existing Village of Sussex sewage treatment plant has a hydraulic design capacity of about 3.2 million gallons per day (mgd) on an average annual flow basis. The hydraulic loading to the plant was about 2.0 mgd, on an average annual basis, in 2003. This treatment plant capacity is shared by the Villages of Sussex, Lannon, and Menomonee Falls; the Town of Lisbon Sanitary District No. 1; and the Town of Lisbon. The allocation of the 3.2 mgd plant capacity for each unit of government concerned is reported in detail in the sanitary sewer service area plan for the Village of Sussex and environs.² The Village of Menomonee Falls has been allocated 0.55 mgd, or about 17 percent of the current treatment plant capacity.

The Village of Sussex is currently undertaking facility planning to expand its sewage treatment plant to increase capacity from 3.2 mgd to 5.1 mgd. The plant expansion is anticipated to be completed in 2005. The Village of Menomonee Falls is anticipated to be allocated 1.1 mgd, or about 22 percent of the planned treatment plant capacity. The flow contribution includes consideration of the area proposed to be added to the sewer service area under this amendment. Thus, treatment plant capacity should be adequate to serve the areas proposed herein to be added to the Menomonee Falls-South sewer service area.

PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on May 17, 2004, at the Village of Menomonee Falls Municipal Building to receive public comment on, and reaction to, the proposed plan amendment. The hearing was sponsored by the Village of Menomonee Falls and the Regional Planning Commission. A summary of the plan amendment was presented prior to receiving public comment, including a description of the lands proposed to be added to the sewer service area and any environmentally significant lands located within, along with a description of potential impacts on hydraulic loading to the Village of Sussex sewage treatment plant; and a description of the proposed refinement of the common boundary between the sewer service areas tributary to Village of Sussex sewage treatment plant and the Fox River Water Pollution Control Center. No objections to the proposed amendment were expressed at the public hearing.

LOCAL GOVERNMENT ACTION ON THE PLAN AMENDMENT

The Menomonee Falls Village Board adopted the plan amendment on May 17, 2004.

CONCLUDING RECOMMENDATION

Based on the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the sanitary sewer service area for the Village of Menomonee Falls as documented in SEWRPC Community Assistance Planning Report No. 208, in the manner identified on Map 1.

²See SEWRPC Community Assistance Planning Report No. 84 (2nd Edition), Sanitary Sewer Service Area for the Village of Sussex, dated September 1994, as amended.

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-09/21/04

(RES) NUMBER-1590008

1 K. HERRO.....	2 R. THELEN.....AYE
3 D. STAMSTA.....NAY	4 H. CARLSON.....NAY
5 J. MARCHESE.....NAY	6 D. BROESCH.....AYE
7 J. JESKEWITZ.....AYE	8 J. DWYER.....AYE
9 P. HAUKOHL.....NAY	10 S. WOLFF.....NAY
11 K. HARENDA.....NAY	12 J. GRIFFIN.....NAY
13 J. MORRIS.....AYE	14 A. KALLIN.....AYE
15 D. SWAN.....AYE	16 R. MANKE.....AYE
17 J. BEHREND.....AYE	18 B. MORRIS.....AYE
19 W. MITCHELL.....AYE	20 M. KIPP.....NAY
21 W. KOLB.....AYE	22 G. BRUCE.....AYE
23 J. TORTOMASI.....	24 B. KRAMER.....AYE
25 K. CUMMINGS.....NAY	26 S. KLEIN.....AYE
27 D. PAULSON.....NAY	28 P. JASKE.....NAY
29 T. BULLERMANN.....NAY	30 K. NILSON.....NAY
31 V. STROUD.....NAY	32 P. GUNDRUM.....AYE
33 D. PAVELKO.....AYE	34 R. SINGERT.....AYE
35 C. SEITZ.....	

TOTAL AYES-18

TOTAL NAYS-14

CARRIED X

DEFEATED

UNANIMOUS

TOTAL VOTES-32